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at 10 a.m.
New York

SUMMARY RECORD OF THE 48th MEETING

Chairman: Mr. VILCHEZ ASHER (Nicaragua)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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The meeting was called to order at 10.15 a.m.

AGENDA ITEM 138: ADMINISTRATIVE AND BUDGETARY ASPECTS OF THE FINANCING OF THE UNITED NATIONS PEACE-KEEPING OPERATIONS (continued)

(a) FINANCING OF THE UNITED NATIONS PEACE-KEEPING OPERATIONS (continued)

Death and disability benefits (A/49/906 and Corr.1 and A/50/684)

1. Mr. FERRARIN (Italy), speaking on behalf of the European Union, said that the European Union recognized that the system of compensation in place since the establishment of the United Nations Emergency Force (UNEF) could be reviewed and improved and that the process of reimbursement of claims should be expedited. The Union also recognized the efforts of the Secretary-General to present concrete proposals in response to General Assembly resolution 49/233. Those proposals, however, did not constitute per se a comprehensive solution to the question. The administrative, legal and financial implications of the various options should be clarified to see whether they were acceptable alternatives to the current system. He was not convinced that the option of a "uniform global insurance scheme" had been thoroughly explored by the Secretariat in all its aspects, including its financial implications. He hoped that the Secretary-General would present a more detailed and comprehensive proposal, drafted with the assistance of the Office of Legal Affairs, together with draft procedures for its implementation, and taking into account the comments of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) in paragraphs 19, 20 and 21 of its report (A/50/684). In particular, the legal status of contingent personnel should be examined in the light of their relationship with both the Organization and their respective Governments. In the meantime, the European Union was ready to consider favourably any practical measure for the improvement of the current system. In that regard, the processing of claims and the payment of outstanding benefits should be expedited.

2. Mr. TOYA (Japan) said that particular attention should be given to the principle of equal treatment of all Member States and to the simplification of administrative arrangements for the speedy settlement of claims for payment of benefits. However, further consideration was needed before an agreement could be reached, particularly in respect of several technical aspects such as the legal implications and the scheme for implementing the options contained in the Secretary-General's proposal. His delegation therefore supported the recommendations formulated by the Advisory Committee in paragraph 20 of its report (A/50/684).

3. Mr. GJESDAL (Norway) said that, taking into consideration the difficulties in implementing the current compensation arrangements and the long lead-times involved, Norway was willing to support options 2 and 3 proposed by the Secretary-General in his report (A/49/906). Both options allowed for greater simplicity and speed of administration, placing the settlement of claims close to the time and place of the incident from which they arose. He noted that the Secretary-General recommended option 3, a global insurance scheme that provided standardized rates of compensation for death and disability, as the fairest and

most practical scheme. It would allow the accumulation of unused amounts, providing the Organization with a degree of protection not available under the current scheme or the other options, particularly in respect of possible financial crises. His delegation supported the Secretary-General in his preference for option 3.

AGENDA ITEM 116: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1996-1997 (continued)

Special representatives, envoys and related positions (A/C.5/50/L.31)

4. Mr. ABELIAN (Armenia), Vice-Chairman, introduced draft resolution A/C.5/50/L.31, concerning special representatives, envoys and related positions, on behalf of the Chairman of the Committee.

5. The CHAIRMAN said that, if there was no objection, he would take it that the Committee wished to adopt draft resolution A/C.5/50/L.31 without a vote.

6. Draft resolution A/C.5/50/L.31 was adopted.

International Civilian Mission to Haiti: programme budget implications of draft resolution A/50/L.67 (A/50/891; A/C.5/50/52; and A/50/L.67)

United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala: programme budget implications of draft resolution A/50/L.68 (A/50/891; A/C.5/50/53; and A/50/L.68)

7. Mr. TAKASU (Controller) said that $3,406,600 would be required to cover the cost of the International Civilian Mission to Haiti (MICIVIH) until 31 August 1996 and that $21,060,700 would be required to maintain the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA) until 31 December 1996. In its resolution 50/215 the General Assembly had recognized that estimated expenditures represented a total of $2,712,000. However, it had appropriated only $2,608,000, having decided that additional reductions of $104 million would have to be achieved during the biennium. The Assembly had further decided that savings in the proposed programme budget would not affect the full implementation of mandated programmes and activities.

8. The Assembly's decision to reduce the level of the programme budget by $104 million made it impossible to absorb additional costs without affecting established programmes and activities. The Secretary-General did not have the necessary flexibility to implement additional mandates within existing resources; the extension of the mandates of MICIVIH and MINUGUA in 1996 would cost an additional estimated $24 million. There were also other missions which, if their political mandates were approved or extended, would require additional financing totalling $90 million for the biennium or perhaps more, taking into account the Security Council's decision regarding a political presence in Rwanda. Consequently, the mandates proposed in draft resolutions A/50/L.67 and A/50/L.68 could be implemented only if, at the same time, the Assembly were to decide which existing programmes should be curtailed, postponed or terminated.

9. Pursuant to the provisions of annex I, paragraph 11, of General Assembly resolution 41/213 of 19 December 1986, "the revised estimates arising from the impact of extraordinary expenses, including those relating to the maintenance of peace and security ... shall not be covered by the contingency fund and shall continue to be treated in accordance with established procedures and under the relevant provisions of the Financial Regulations and Rules. The Secretary-General should nevertheless make efforts to absorb these expenditures, to the extent possible, through savings from the programme budget, without causing in any way a negative effect on programme delivery and without prejudice to the utilization of the continency fund". Consequently, if established procedures were followed and if the General Assembly decided to extend the mandates of MICIVIH and MINUGUA, the Secretary-General would be unable to absorb the expenditure without causing a negative effect on programme delivery, and the Assembly would then have to decide which existing programmes should be curtailed, postponed or terminated. In the absence of such a decision, the Secretary-General would follow existing budgetary procedures, recording actual expenditures for the operations in the annual performance reports and requesting additional appropriations at the end of the biennium.

10. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee had considered the statements submitted by the Secretary-General on the programme budget implications of draft resolutions A/50/L.67 and A/50/L.68 (documents A/C.5/50/52 and A/C.5/50/53). The Advisory Committee had earlier conducted an in-depth review of the requirements of the International Civilian Mission to Haiti (MICIVIH) and the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA) and made recommendations thereon in the reports contained in documents A/50/7/Add.5 and A/50/7/Add.9. Based on those recommendations, the General Assembly, in its resolution 50/215, had approved an amount of $2,042,900 for MICIVIH for the period from 1 January to 7 February 1996 and an amount of $7,124,800 for MINUGUA for the period from 1 January to 31 March 1996. In the case of MINUGUA, the General Assembly, in its resolution 50/216, had authorized the Secretary-General to enter into commitments in an amount not exceeding $2,329,700 a month, should the Mission's mandate be extended beyond 31 March 1996.

11. With regard to MICIVIH, the Secretary-General, on the basis of the assumptions outlined in paragraphs 3 to 8 of his statement in document A/C.5/50/52, had estimated that an amount of $3,406,200 would have to be allocated under section 3 of the programme budget for the biennium 1996-1997 for the continuation of the Mission's activities for the period from 8 February to 31 August 1996. Additional funds in an amount of $361,100 would also have to be allocated under section 32 (Staff assessment), offset by the same amount under income section 1 (Income from staff assessment). Monthly expenditures would thus be much lower than under the previous mandate.

12. In its sixth report (A/50/7/Add.5), the Advisory Committee had noted the Secretary-General's intention to reassess the size and composition of the staff of MICIVIH should its mandate be extended. The Advisory Committee noted that, in the opinion of the Secretary-General, the staffing of the United Nations component of MICIVIH would be reduced from 396 to 116 staff for the mandate

period beginning on 8 February 1996 (A/C.5/50/52). In that connection, the Advisory Committee had been informed that the United Nations Mission in Haiti (UNMIH) would continue to provide administrative and logistical support to MICIVIH.

13. With regard to the requirements for MINUGUA, the Secretary-General, on the basis of the assumptions made in paragraphs 3 and 4 of his statement (A/C.5/50/52), estimated that an appropriation of $21,060,700 would be required under section 3 of the programme budget for the biennium 1996-1997 for the continuation of the activities of MINUGUA for the period from 1 April to 31 December 1996. That amount exceeded by $93,400 the commitment authority of the Secretary-General which, under the terms of General Assembly resolution 50/216, totalled $20,967,300, at a monthly rate of $2,329,700. The Advisory Committee had been informed that the additional amount was due to an increase in the rotation travel costs for military observers, of whom there were 12 instead of the five estimated, as well as increased rotation travel costs for civilian police, who numbered 25 instead of the 10 estimated. An appropriation of $1,737,500 would also be required under section 32 (Staff assessment), offset by the same amount under income section 1 (Income from staff assessment). The Advisory Committee recommended that the General Assembly approve the cost estimates presented in documents A/C.5/50/52 and A/C.5/50/53.

14. The Advisory Committee noted that, in draft resolutions A/50/L.67 and A/50/L.68, the Secretary-General was requested to carry out the mandates of the two missions "within existing resources". The Advisory Committee pointed out that the question of whether or not that phrase required recourse to the contingency fund did not arise, since the expenditure in question related to peace and security and must therefore be considered outside the contingency fund. In that connection, the Advisory Committee recalled that paragraph 11 of annex I to General Assembly resolution 41/213 stated that the revised estimates arising from the impact of extraordinary expenses, including those relating to the maintenance of peace and security, should not be covered by the contingency fund. Moreover, the General Assembly had reiterated the content of resolution 41/213 in its resolution 50/214 on questions relating to the proposed programme budget for the biennium 1996-1997.

15. The Advisory Committee had already analysed the implications of phrases such as "within existing resources" and "within existing resources to the extent possible". In two reports prepared by it in 1983 (A/38/476 and A/38/7/Add.16), the Advisory Committee had stated that it would be highly unusual to interpret the phrase "within existing resources" to mean that the Secretary-General could use savings from other budget items to finance a particular activity. In that connection, the Advisory Committee had in those reports interpreted the phrase to mean that the activities in question must be carried out within the resources already approved for the section of the programme budget pertaining to them. Moreover, in the same reports, the Advisory Committee had interpreted the phrase "within existing resources to the extent possible" to mean that, although additional resources might eventually have to be used, the Secretary-General must do his utmost to use existing resources.

16. The Advisory Committee pointed out that the statements submitted by the Secretary-General on the programme budget implications of draft resolutions

A/50/L.67 and A/50/L.68 referred not only to cost projections but also to other aspects, including an analysis of the potential for absorption. Such an analysis was entirely consistent with the procedure laid down in General Assembly resolution 41/213; moreover, it was for the Fifth Committee to determine whether the analysis was compatible with the conclusion drawn by the Secretary-General in paragraphs 11 and 12 of document A/C.5/50/52 and paragraphs 7 and 8 of document A/C.5/50/53.

17. In that connection, the Advisory Committee noted that, in paragraph 7 of document A/C.5/50/53, the Secretary-General said that "the Assembly, by authorizing the Secretary-General to enter into commitments, recognized that the cost of the activities related to MINUGUA, estimated at $28.1 million a year, could not be met from within existing resources". For its part, the Advisory Committee recalled that, in paragraph 19 of its first report on the proposed programme budget for the biennium 1996-1997, it had stated that, in its opinion, the "proposed programme budget for 1996-1997 represents an effort to achieve a more cost-effective approach to the requirements of the United Nations in the coming biennium". Nevertheless, in its resolution 50/215, the General Assembly had called on the Secretary-General to achieve significant further savings, but had not specifically indicated that costs for peace and security should be absorbed. Such costs, including those for MICIVIH and MINUGUA, were estimated at $90 million for the biennium 1996-1997.

18. The Advisory Committee pointed out that, in preparing the initial estimates for 1996-1997, the Secretary-General had eliminated the costs of MICIVIH and MINUGUA as part of his projected savings of $92.8 million. The Secretary-General had done so on the understanding that, should the mandates of those missions be renewed, he would seek the necessary spending authority in accordance with current practice and that the estimates would be governed by the procedures established in General Assembly resolution 41/213.

19. In view of the foregoing, the Advisory Committee was of the opinion that the Secretary-General could not reasonably be expected to absorb the entire amounts in question. In that connection, the Advisory Committee noted that, in his letter dated 12 March 1996 addressed to the President of the General Assembly concerning the extension of the mandates of MICIVIH and MINUGUA (A/50/891), the Secretary-General had said that the decision taken by the General Assembly to reduce the level of the programme budget by $104 million made it impossible for him to absorb additional expenditures without affecting existing programmes and activities. As a result, he would be able to implement the mandates proposed in draft resolutions A/50/L.67 and A/50/L.68 only if, at the same time, the General Assembly decided which existing programmes should be curtailed, postponed or suspended. The Advisory Committee concurred with the Secretary-General's opinion and pointed out that, in paragraph 4 of the second part of its resolution 50/214, the General Assembly had reaffirmed that "changes in mandated programmes and activities are the prerogative of the General Assembly". In paragraph 6 of the same resolution, the General Assembly had decided that "savings in the proposed programme budget for the biennium 1996-1997 will not affect the full implementation of mandated programmes and activities".

20. The Advisory Committee therefore felt that the Fifth Committee should recommend to the General Assembly that it adopt the draft resolutions before it, which included the phrase "within existing resources"; that phrase should be interpreted to mean that the Secretary-General could enter into commitments for the amounts indicated in his statements of programme budget implications and that any additional appropriation that might be required would have to be considered by the General Assembly in the context of the first performance report for the biennium 1996-1997.

21. Mr. HANSON (Canada) said that his country had been a sponsor of draft resolution A/50/L.67 because it believed that MICIVIH continued to serve an important purpose as Haitians pursued their efforts to build democracy and strengthen respect for human rights. In addition, the three MINUGUA reports made clear not only the essential contribution being made by that Mission to the peace process, but also the fragility of that process and consequently the necessity of the Mission's continuation. Canada was therefore seriously concerned that the Secretary-General considered the continuation of those missions to be in danger of not being implemented if the necessary financial resources were not available.

22. The Secretary-General's statements of programme budget implications maintained that additional programme demands, not foreseen at the time of the approval of the programme budget for the biennium 1996-1997, could not be met within existing resources. It should be remembered that both of those missions had been in existence when the programme budget for the current biennium had been adopted, and there had been every expectation that they would continue. It was therefore difficult to consider the associated costs as unforeseen, and it was appropriate that those missions should be carried out within existing resources, as provided in the relevant draft resolutions.

23. As the Secretary-General had rightly maintained, in adopting the programme budget for the current biennium in its resolution 50/215, the General Assembly had appropriated $2,608,274,000 against estimated expenditures of $2,712,265,200, deciding that additional reductions of $103,992,000 would be achieved during the biennium. Those decisions remained valid almost three months into the biennium. The Secretary-General had stated that it would be possible to implement those mandates within existing resources only if the General Assembly were to decide that existing programmes should be curtailed, postponed or terminated. Of course, that was not the only possible solution, as the mandates of those missions could be fulfilled without affecting the full implementation of mandated programmes and activities.

24. On that score, the necessary economies could be found in non-programme areas. The expenditure plans of the two missions should be carefully examined for potential savings. Moreover, overhead costs accounted for a large percentage of the budget, potentially as much as 50 per cent, and it was in that area that the potential for savings was great. The intergovernmental bodies of the Organization could also contribute to savings. Some months previously it had been estimated that conference-servicing costs for a meeting of a Main Committee were on the order of $4,800 per hour. That meant that more than $2,000 were wasted when a meeting began half an hour late. Considering the

number of meetings held in the course of a biennium, there were some impressive savings to be realized through punctuality.

25. Mr. ALBIN (Mexico) said that his country, as a sponsor of draft resolution A/50/L.68, felt that the mandate of MINUGUA should be extended. After more than three decades of conflict, the situation in Guatemala was improving. Progress was being made in the peace negotiations, and he felt reasonably optimistic that a peace agreement would be concluded soon.

26. The peace process in Guatemala was at a critical stage in which it was necessary to consolidate the progress made, maintain favourable conditions and provide the final impetus and support for the work of those seeking peace and national reconciliation. MINUGUA must play a fundamental role in that process. The goal of the draft resolution was thus quite clear: to ensure that the United Nations and the international community would have an opportunity to make a new contribution to the peace process in Guatemala. Such a contribution would take the form of extending the mandate of MINUGUA.

27. Although Mexico was not a sponsor of draft resolution A/50/L.67, it firmly supported the renewal of the mandate of the United Nations component of MICIVIH with the goal of consolidating Haitian institutional reconstruction.

28. Financial resources were not an end in and of themselves, but were the tools available to the Organization for achieving the objectives set out in draft resolutions. He therefore believed that, within the limits of existing resources, it was still possible to work towards achieving the main objectives of peace in Guatemala.

29. Mr. BIRENBAUM (United States of America) said that his delegation believed that the presence of MICIVIH and MINUGUA was crucial, not only for Haiti and Guatemala, but for the United Nations as well. Virtually every delegation supported the extension of their mandates. Nevertheless, he regretted that the Advisory Committee had not proposed any cost-saving measures in the budgets it had presented for those missions. The United States was committed to ensuring that the cost of those missions should be offset by savings, and believed that they could be accommodated through the identification of additional efficiencies or reducing spending in non-priority areas.

30. In his letter of 12 March 1996, the Secretary-General had asked Member States to identify programmes to be curtailed, postponed or terminated. The United States did not agree that further efficiencies in programme delivery could not be achieved or that Member States should be asked to identify offsetting savings. No analysis of possible cost savings had been provided in the reports submitted, nor had the Secretary-General's letter indicated that any such analysis had been carried out. It was inconceivable that, in an Organization with a budget of over $1.3 billion, there was no activity that could be carried out with greater efficiency or of less importance that could be reduced, so as to fund the two missions without compromising priority programmes. The United States proposed that the missions should be extended within existing resources, and that the Secretary-General should be requested to propose options for possible savings for the Committee's consideration. Such an

approach would allocate appropriate political responsibility to the Secretariat and the Member States.

31. His delegation disagreed with several aspects of the Advisory Committee's report, particularly the roles to be played by the Advisory Committee and the Fifth Committee in the transfer of financial resources between sections of the budget. He wished to know whether the Advisory Committee's recommendations and decisions had been adopted by consensus.

32. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that all the proposals in his report fell within the mandate of the Advisory Committee, and that the report had been adopted by consensus.

33. Mr. TOYA (Japan) said that his delegation attached great importance to United Nations activities in the area of human rights, and therefore to the work of MICIVIH and MINUGUA as well. Efforts to identify areas of possible further savings continued to be critical in the present financial situation.

34. In his letter of 12 March 1996, the Secretary-General had said that he had no flexibility to implement additional mandates within existing resources, and that without the requisite financial resources the continuation of the two missions stood in danger of not being implemented. Japan was of the view that there had to be a balance between the need to execute a self-disciplined budget while endeavouring to achieve further savings and the need to fulfil the mandate that had been set. He therefore requested the Secretariat to study fully the possibility of both missions fulfilling their mandate within existing resources.

35. Mr. VALLE (Brazil) stressed his delegation's political support for the continuation of the mandate for the joint participation of the United Nations and the Organization of American States (OAS) in MICIVIH, and also the mandate of MINUGUA, bearing in mind their contribution to the consolidation of peace, democracy and development in the region.

36. Brazil noted with concern that, according to the Secretary-General, the limitations imposed by the approved budget meant that certain existing programmes would have to be curtailed, postponed or terminated in order to finance those two missions and similar missions within existing resources. His delegation did not share the view that the Secretary-General himself should identify areas from which resources could be found to finance the extension of the mandates of MINUGUA and MICIVIH.

37. When the General Assembly had approved the programme budget for 1996-1997 in its resolution 50/214, it had determined that the projected level of savings would be $104 million. If it had been necessary to achieve a higher level of savings, the General Assembly would have decided accordingly. The Assembly had also decided that those savings would not affect the full implementation of approved programmes and activities and had reaffirmed the principle that changes in mandated programmes and activities were the prerogative of the General Assembly. However, the Secretary-General had indicated he would find it impossible to absorb additional expenditures without affecting approved

programmes and activities. It was therefore reasonable that he should seek political guidance from the General Assembly.

38. It should also be noted that in resolution 50/214 the General Assembly had approved the recommendations and observations of the Advisory Committee in its first report on the proposed programme budget for 1996-1997 (A/50/7), paragraph II.34 of which stated that no provisions had been requested for ad hoc missions since they would either be completed by 1996 or because, owing to their extraordinary nature, their extension could not be foreseen.

39. The General Assembly should heed the Advisory Committee's opinion that the Secretary-General could not reasonably be expected to absorb the amounts in question, and it should approve additional resources to finance the mandates of MICIVIH and MINUGUA.

40. Mrs. RODRÍGUEZ ABASCAL (Cuba) said that her Government endorsed the extension of the mandates of MICIVIH and MINUGUA because of their importance for the Latin American and Caribbean region. However, her delegation endorsed the Advisory Committee's report on the programme budget implications of draft resolutions A/50/L.67 and A/50/L.68. Authorizing the extension of the mandates of those missions within existing resources, as proposed in paragraph 3 of the draft resolution on MINUGUA (A/50/L.67) and paragraph 2 of the draft resolution on MICIVIH (A/50/L.68), would jeopardize the viability of the extension itself.

41. After studying the programme budget for the biennium 1996-1997, the General Assembly had requested the Secretary-General to achieve savings in the amount of $104 million. She was astonished that, in order to finance missions, proposals were now being put forward to achieve savings over and above those which had been agreed. It stood to reason that the Secretary-General would be unable to absorb the additional expenditures, and to try to cover the costs of those and other missions from the regular budget would set an unacceptable precedent.

42. Mr. GOKHALE (India) said that, when considering the financing of MINUGUA and MICIVIH, it was important to bear in mind that during the biennium there would be other operations where additional resources would be required, and it would be impossible to continue to meet additional expenditures from existing resources indefinitely. If the United Nations was to fulfil the duties laid down in the Charter, adequate additional funding must be made available. Under General Assembly resolution 41/213, the Secretary-General was fully justified in seeking additional budget resources, and his delegation would prefer the Secretary-General to be provided with such resources for the two operations under consideration.

43. India endorsed the idea that the Secretariat should prepare a list of options for achieving reductions in planned expenditure to cover the additional funds required. There should be consensus on areas where reductions could be made. Any proposed cuts should not be applied to the economic and social sectors in view of the fact that funding for those priority activities had already been reduced in the budget. The options should therefore deal only with the absorption of costs within the allocations under Part II of the budget, namely political affairs and peace-keeping.

44. Mr. FERRARIN (Italy), speaking on behalf of the European Union, said that at the current stage it was not possible for the Committee to have a clear understanding of whether the expenses for MICIVIH and MINUGUA could be covered by additional appropriations or within existing resources. Therefore, while ready to agree in principle to additional appropriations, he would prefer to come back to the matter once the Secretary-General had submitted his report on ways to achieve the savings of $104 million called for in General Assembly resolution 50/214, at the latest during the resumed session in May 1996.

45. Mr. LOZINSKI (Russian Federation) said that his delegation endorsed the extension of the mandates of the two missions and wished to see draft resolutions A/50/L.67 and A/50/L.68 adopted. Regarding the financing of the missions, he believed that the Secretary-General had not yet exhausted all avenues, in view of which he proposed that the question should continue to be discussed with representatives of the Secretariat in informal consultations.

46. Mr. GJESDAL (Norway) said that, although his Government had been a sponsor of draft resolution A/50/L.68, he disagreed with the rest of the Group of Friends of Guatemala that the draft should be submitted for adoption by the Fifth Committee without ascertaining that adequate resources were available to fund an extension of the mandate of MINUGUA. His delegation was therefore keenly interested to learn whether there were possibilities of funding the extension within existing resources. If there were no such possibilities, other methods of funding should be looked into.

47. Mr. HO (Singapore) said that, at a time when demand for resources greatly exceeded supply, it might be necessary to take hard decisions. If the Secretary-General was unable to continue to fund MICIVIH and MINUGUA within existing resources, it might be necessary to think about curtailing those missions. His delegation believed that the essential thing was to clarify the ambiguous expression "within existing resources" in order to decide whether it was feasible or not to extend the mandates of the missions. If Member States wished to adopt draft resolutions A/50/L.67 and A/50/L.68 and the Secretary-General had exhausted all other avenues for making savings, then the interpretation of the phrase "within existing resources" as contained in paragraph 20 of the Advisory Committee's report merited careful consideration.

48. Mr. ELZIMAITY (Egypt) said that, although his delegation had not participated in the informal consultations on draft resolutions A/50/L.67 and A/50/L.68, it endorsed them and felt that it was important for the United Nations to be able to pursue its efforts to restore peace in Guatemala and Haiti. The crucial issue was how to request the Secretary-General to finance MICIVIH and MINUGUA within existing resources, and not request him at the same time to finance missions to countries such as Afghanistan, Burundi, El Salvador or Rwanda and allow for the possibility of having to send new missions to other parts of the world while relying on the ever-shrinking resources set aside for that purpose. In that regard, he endorsed the statements made by the representatives of Brazil, Cuba and India and said that the Secretary-General should clearly indicate where the necessary resources would come from. Otherwise, it would be up to the Committee to decide on the appropriate means of financing. The situation could be resolved by providing the Secretary-General with adequate financial resources to successfully carry out those missions.

49. Mr. PÁLIZ (Ecuador) expressed concern about the Secretary-General's letter dated 12 March 1996 addressed to the President of the General Assembly alerting him to the implications of extending the mandates for MICIVIH and MINUGUA without at the same time providing adequate funding for that purpose. Since Ecuador viewed such missions as important for its region, it urged the Committee to do its utmost to secure the necessary resources for the extension of those missions.

50. Mr. JAREMCZUK (Poland) endorsed the statement made by the representative of Italy on behalf of the European Union.

51. Mr. ZHANG Wanhai (China) wondered whether the extension of the mandates of both missions within existing resources proposed in the two draft resolutions under consideration was in conformity with United Nations budgetary requirements. His understanding was that, where issues carried programme budget implications, the procedure provided: first of all for the Secretary-General to submit a report on those implications; secondly, for the Advisory Committee to prepare its own report on the basis of that report; and, lastly, for the Fifth Committee to take a decision following its consideration of the two reports.

52. Mr. IBÁÑEZ (Peru) expressed full support for the two missions the financing of which was being considered by the Fifth Committee. In his view, the Committee should wait until the Secretary-General had submitted his new updated report on the budget at the end of the month before deciding whether those missions should be financed from additional resources or from existing resources.

53. Mr. ODAGA-JALOMAYO (Uganda) said that, concerning draft resolutions A/50/L.67 and A/50/L.68, his delegation welcomed the proposal put forward by the Secretary-General in his letter as well as the proposal of the Advisory Committee and would study them carefully in the appropriate context.

54. Ms. FIGUERA (Venezuela) said that in the view of her country, which had sponsored and endorsed the two draft resolutions before the Committee, MICIVIH and MINUGUA were not new missions and that consequently provision should have been made for their financing in the programme budget for the current biennium. For that reason, the possibility of financing them within existing resources should be thoroughly considered.

55. Mr. MARTINI HERRERA (Guatemala) said that he did not even want to entertain the prospect that the future of MINUGUA, and consequently that of a founding State Member of the United Nations, might be put in jeopardy because of purely administrative concerns. His delegation was convinced that there was no need for the concerns that had been raised with respect to the phrase "within existing resources" to jeopardize the continuation of MINUGUA; in its view, it referred once again to the need for enhancing the Organization's efficiency. Time was of the essence and the mandate of MINUGUA must be extended without delay.

56. Guatemala was of the view that the Advisory Committee had been able to capture the political mood of the Organization and all its Member States as well as the intent of draft resolution A/50/L.68 before the Committee. Indeed, as

noted by the Chairman of the Advisory Committee, the phrase "within existing resources" should be interpreted to mean that the Secretary-General could enter into commitments for the amounts indicated in his statements of programme budget implications and that any additional appropriation that might be required would have to be considered by the General Assembly. That was the interpretation which should be included in the recommendation to the General Assembly. Neither the timing of the activities of MINUGUA nor the level of resources should be affected. The authorization to enter into commitments was an urgent issue; the source of the necessary resources was not as urgent. The important thing was not to interrupt the peace process already under way in Guatemala.

57. Mr. LELONG (Haiti) said that the decision to extend the mandate of MICIVIH was urgent in view of the importance of the mission to the consolidation of the peace process and of the fact that the new mandate had begun on 7 February 1996.

58. Mr. TAKASU (Controller) said that the General Assembly had clearly indicated that the operations under consideration were essential. However, in view of the importance of the question, the Secretary-General had decided to advise Member States about the implications of the adoption of the draft resolutions, which would radically change budgetary procedures. The issue affected not only MICIVIH and MINUGUA but was also a matter of principle. Since the two missions had already been in existence when the budget had been adopted, they did not constitute extraordinary expenses and should therefore be financed from the programme budget within existing resources. The General Assembly had already agreed that, should the mandates of the missions be extended, the necessary resources would be considered as additional expenditures provided all possibilities of absorbing them were exhausted. It was necessary to determine whether, through cost cutting and efficiency gains, all efforts had been made to absorb those additional expenditures.

59. In its resolution 50/214, the General Assembly had stated that gains in the order of magnitude of US$ 100 million during the biennium would be a reasonable expectation. If account was taken of the fact that the raising of the vacancy rate to 6.4 per cent would generate savings of $50 million, the necessary reductions that the Secretariat had been trying to achieve would have to be over $150 million. The Secretary-General was convinced that it was impossible for him to absorb the expenditures stemming from the extension of the mandates of the missions without affecting the delivery of planned programmes and activities and within existing resources. Member States, which had approved by consensus in the General Assembly the activities under the budget, should also agree in a similar manner about which programmes should be curtailed in order to obtain the necessary resources.

60. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee was not recommending that the General Assembly authorize immediately additional appropriations. What was important was that both missions should continue and that the Secretary-General should be given the necessary commitment authority. The question of additional appropriations would be raised at a later stage, on the basis of the analysis to be made by the Secretary-General pursuant to resolution 50/214 and in the context of the first performance report for 1996-1997.

61. That not only MICIVIH and MINUGUA but also other missions must be taken into account was clear from the letter dated 12 March 1996 from the Secretary-General addressed to the President of the General Assembly (A/50/891). In that letter, the requirements for the activities of both missions were estimated at $90 million, an amount which might be positively or negatively affected by currency fluctuations and inflation. Accordingly, account must be taken of the provisions of resolution 41/213, the content of which had been reiterated by the General Assembly in its resolution 50/214.

AGENDA ITEM 120: SCALE OF ASSESSMENTS FOR THE APPORTIONMENT OF THE EXPENSES OF THE UNITED NATIONS (continued)

Report of the Committee on Contributions on its special session (A/50/11/Add.1)

62. Mr. ETUKET (Chairman of the Committee on Contributions), introducing the report of the Committee on Contributions (A/50/11/Add.1 and Corr.1), said that the Committee had had before it nine written and five oral representations at its special session. In addition, it had received a written representation on the last day of its special session and consequently had been unable to consider it.

63. The Committee had agreed that its main task was to consider whether the failure of a particular Member State to pay the amount needed to avoid the loss of the right to vote was due to conditions beyond its control. The Committee had noted that the General Assembly had waived the application of Article 19 of the Charter in relatively few cases. In addition, it had stressed the need to apply a stringent standard to requests under Article 19 of the Charter for permission to vote. The Committee had also emphasized the importance of the obligation to pay all assessed contributions in full and on time.

64. A number of Member States whose representations were before the Committee had indicated their commitment to pay their arrears to the Organization and had included proposals to do so over a number of years. The Committee had discussed the question of multi-year payment plans as a means of reducing the problem of arrears. The Committee had recognized that such payment plans could prove to be a valuable tool in reducing the number of Member States falling under the provisions of Article 19 of the Charter, as well as in improving the financial situation of the Organization. It had also recognized, however, that the question of payment plans and the terms and conditions to be applied to such plans went beyond its terms of reference.

65. With regard to the Dominican Republic, the Committee had concluded that more recent statistical data on the current financial and economic situation of that State would be necessary to determine whether the inability to pay still existed. At its special session, the Committee had had before it the text of a letter from the Dominican Republic transmitting a report covering the period since the lifting of the embargo against Haiti. The Committee had concluded, however, that the information was not a sufficient basis on which it could recommend a waiver of the application of Article 19 of the Charter.

66. The Committee had taken note of Georgia's intention of making a payment of $3,610,500 to the United Nations within a few months and paying its debt

completely within the following three years. The Committee had recalled that the General Assembly had, on a number of occasions, agreed to the temporary waiver of the application of Article 19 of the Charter for countries in a similar situation, during a particular session and pending the receipt of the necessary payments.

67. In its letter, Iraq had indicated that it was unable to pay its contribution to the United Nations owing to the imposition of comprehensive sanctions by the Security Council and the freezing of its foreign assets. The Committee had recalled that it had considered similar representations from Iraq at its fifty-fifth session. The Committee's conclusions were contained in paragraph 23 of its report.

68. Kyrgyzstan had made the necessary payment to avoid the application of Article 19 of the Charter in 1996. It had stated in its representation, however, that it foresaw future problems and had referred to the possibility of submitting a multi-year plan for payment of its arrears to the General Assembly. The Committee had noted that Kyrgyzstan did not fall under the provisions of Article 19 of the Charter in 1996 and that, therefore, no action was required by the General Assembly.

69. The Republic of Moldova also foresaw future problems and had proposed a payment schedule over a period of seven years to eliminate its arrears of payments to the United Nations. The Committee had noted that the Republic of Moldova did not fall under the provisions of Article 19 of the Charter in 1996 and that, therefore, no action was required by the General Assembly.

70. In its representation, Latvia had pointed out the problems which prevented it from making the payments necessary to avoid the application of Article 19 of the Charter. It had therefore proposed a payment plan which it had estimated would settle its arrears within seven years. The Committee's conclusions on the representation of Latvia were contained in paragraph 28 of its report.

71. After considering the representations of Liberia and Rwanda, the Committee had recommended to the General Assembly that both Member States should be permitted to vote until the fifty-first session of the General Assembly and that the waiver should be subject to review before any further extension.

72. In its representation, Tajikistan had made reference to the problems which it faced and had requested that the provisions of Article 19 of the Charter should not be applied, although, as the country's situation improved, it would make every effort to pay its outstanding contributions to the United Nations.

73. Some members were of the opinion that Tajikistan's failure to pay the amount necessary to avoid the application of Article 19 of the Charter was due to conditions beyond its control and that it should therefore be permitted to vote. Other members, although recognizing the difficult situation facing Tajikistan, were not fully convinced that it constituted conditions beyond the control of the Member State in accordance with Article 19. The Committee was, therefore, unable to recommend any action to the General Assembly in that respect. It had been agreed, however, that the situation of Tajikistan should be reviewed at the fifty-sixth session of the Committee on the basis of any new

information that might be available, either from Tajikistan or from other sources.

74. In its representation, Yugoslavia had made reference to the economic and financial problems stemming from economic sanctions imposed by the Security Council and the freezing of foreign assets. The Committee had recalled General Assembly resolutions 47/1 of 22 September 1992 and 47/229 of 29 April 1993 and had decided to defer action on the request until such time as the pending succession issues with respect to the representation of Yugoslavia in the United Nations had been resolved.

75. The Committee had received a written representation from Comoros on the last day on its special session and consequently had been unable to consider it. Azerbaijan, Sao Tome and Principe and Turkmenistan, although mentioned in General Assembly resolution 50/207, had not made written or oral representations. Azerbaijan and Turkmenistan had subsequently made payments sufficient to avoid the application of Article 19 of the Charter in 1996. Therefore, the Committee was not in a position to advise the General Assembly with regard to the application of Article 19 of the Charter for Sao Tome and Principe.

76. Mr. KADIROV (Tajikistan) requested the members of the Committee to give further consideration to the question of the application of Article 19 of the Charter to Tajikistan, in view of the complex and difficult economic situation facing the country, which prevented it from paying its outstanding arrears owing to circumstances beyond its control.

77. Mr. MAHMOND (Comoros) said that, since the conflict of September 1995, the Comoros had faced a difficult political situation. The recently formed coalition Government exercised only limited functions and was barely able to fulfil its administrative responsibilities. Despite the administrative, political and communications difficulties, the Government had submitted a written request to the Committee on Contributions which the latter had not had the time to consider, since it had received it on the last day of its special session. He urged the Fifth Committee to take into consideration the Comorian request, which was mentioned in resolution 50/207 of the General Assembly.

OTHER MATTERS

78. Mrs. RODRÍGUEZ ABASCAL (Cuba) pointed out that in the Commission on Human Rights, in Geneva, working documents were being made available only in English. Delegations had been informed that that was in compliance with an instruction received from the Secretariat in New York. The Cuban delegation requested the presence of a representative of the Secretariat at the next official meeting to provide clarifications concerning the administrative instruction and to explain why documents were not being translated in Geneva.

79. Mr. HANSON (Canada), Mr. AMARI (Tunisia) and Mr. ODAGA-JALOMAYO (Uganda) shared the concern expressed by Cuba and sought an explanation as to why documents were not being translated in Geneva. In that connection, Mr. ODAGA-JALOMAYO (Uganda) said that he would also welcome information on language training in the Secretariat.

The meeting rose at 12.55 p.m.